

**Grassotti, Lauren B. (Assoc-NY-LT)**

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**From:** Kristine E. Johnson <KJohnson@parsonsbehle.com>  
**Sent:** Friday, January 17, 2014 6:50 PM  
**To:** Grassotti, Lauren B. (Assoc-NY-LT)  
**Subject:** Enzo/PE Eugene document review  
**Attachments:** agreement regarding Eugene production.docx

Lauren-

Attached is a proposed agreement regarding the document review on Monday. The address of the facility is:

4040 W. 11th Ave.  
Eugene, OR 97402  
(541) 485-5000

There will be a paralegal from my office, Didi Bowles, who will be there to provide access and supervise the review. I've been told that the storage facility does not have particularly good heating, so you may want to let them know to dress warmly.

Kris  
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***Enzo Biochem, Inc. and Enzo Life Sciences, Inc. v. PerkinElmer, Inc. and  
PerkinElmer Life Sciences, Inc.,***

United States District Court for the Southern District of New York, 03-CV-3817

Stipulation and Agreement Regarding January 20, 2014 Document Review in Eugene, OR

Molecular Probes, Inc. (“MPI”) and Enzo Biochem, Inc. and Enzo Life Sciences, Inc. (“Enzo”) stipulate and agree to the following terms regarding the review of certain MPI hard copy documents to take place in Eugene, OR on January 20, 2014:

1. The review will take place at an off-site storage facility located at 4040 W. 11<sup>th</sup> Ave., Eugene, OR 97402. Ben Shiffman and Seth Allen from Greenberg Traurig will perform the review. The review will begin at 9:00 a.m.
2. MPI and Enzo agree that there will be no waiver of the attorney-client or work-product immunity or any other applicable privilege or immunity from discovery.
3. Mr. Shiffman and Mr. Allen will not take photographs of any documents, take notes, or place telephone calls while performing the review, and will leave any briefcases, litigation bags or suitcases outside the review area.
4. Mr. Shiffman and Mr. Allen shall designate any documents Enzo requests production of, and MPI shall then review the designated documents for privilege and responsiveness prior to production.

Dated: this \_\_\_\_ day of January, 2014.

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Lauren Grassotti  
Greenberg Traurig, LLP  
Counsel for Enzo

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Kristine E. Johnson  
Parsons Behle & Latimer  
Counsel for MPI